

By: Raymond

H.B. No. 978

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the transportation of certain patients to a mental
3 health facility.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

5 SECTION 1. Sections 574.045(a) and (a-1), Health and Safety
6 Code, are amended to read as follows:

7 (a) The court may authorize, in the following order of
8 priority, the transportation of a committed patient or a patient
9 detained under Section 573.022 or 574.023 to the designated mental
10 health facility by:

11 (1) a special officer for mental health assignment
12 certified under Section 1701.404, Occupations Code;

13 (2) the facility administrator of the designated
14 mental health facility, unless the administrator notifies the court
15 that facility personnel are not available to transport the patient;

16 (3) ~~[a relative or other responsible person who has a
17 proper interest in the patient's welfare and who receives no
18 remuneration, except for actual and necessary expenses,~~

19 ~~[(4)]~~ a representative of the local mental health
20 authority, who shall be reimbursed by the county, unless the
21 representative notifies the court that local mental health
22 authority personnel are not qualified to ensure the safety of the
23 patient during transport;

24 (4) ~~[(5)]~~ a qualified transportation service provider

1 selected from the list established and maintained as required by
2 Section 574.0455 by the commissioners court of the county in which
3 the court authorizing the transportation is located; ~~or~~

4 (5) ~~[(6)]~~ the sheriff or constable; or

5 (6) a relative or other responsible person who has a
6 proper interest in the patient's welfare and who receives no
7 remuneration, except for actual and necessary expenses.

8 (a-1) A person who under Subsection (a)(1), (2), or (5)
9 ~~[(6)]~~ is authorized by the court to transport a person to a mental
10 health facility may contract with a qualified transportation
11 service provider that is included on the list established and
12 maintained as required by Section 574.0455 by the commissioners
13 court of the county in which the court is located to provide the
14 transportation authorized by the court.

15 SECTION 2. This Act takes effect September 1, 2013.